



Agenda

Finance Committee Meeting
July 16, 2007 – 5:15 pm
City Council Chambers

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES:

JUNE 18, 2007
JULY 2, 2007

CITY CLERK'S OFFICE

DATE 7-13-07 TIME 2:30 pm

SERVED BY Yolanda Green

RECEIVED BY Aydominguez

INFORMATIONAL AGENDA:

6. UPDATE ON DOMESTIC PARTNERS RETIREE HEALTH CARE (VICKI GAGE)
7. UPDATE ON SAFE RIDE PROGRAM (SEVASTIAN GURULE)

CONSENT AGENDA:

8. BID OPENINGS:
 - A. BID NO. 07/53/B –SANDOVAL MUNICIPAL PARKING GARAGE MOISTURE PROTECTION RESTORATION; SEAL-CO., INC. (BILL HON)
 - B. BID NO. 07/58/B – AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION OF SANTA FE MUNICIPAL AIRPORT TERMINAL ROOF (MARY MACDONALD)
 1. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – ARCHITECTURAL DESIGN SERVICES; MOLZEN-CORBIN & ASSOCIATES, P.A.
 2. REQUEST FOR APPROVAL OF BUDGET INCREASE AND ADJUSTMENT – PROJECT FUND
9. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SECURITY SERVICES AT GCCC; CHAVEZ SECURITY, INC. (LIZ ROYBAL)
10. REQUEST FOR APPROVAL OF PROCUREMENT UNDER FEDERAL PRICE AGREEMENT – PLAYGROUND EQUIPMENT AND PARK FURNITURE FOR VILLA SERENA, LAS ESTANCIAS AND MACLOVIA PARKS; EXERPLAY, INC. (BEN GURULE)
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12. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – ADMINISTER LOCALS CARE LOYALTY CARD PROGRAM; SANTA FE ALLIANCE (SCOTT BECKMAN)
13. REQUEST FOR APPROVAL OF SOLE SOURCE PROCUREMENT AND MAINTENANCE SERVICES AGREEMENT – SOFTWARE SERVICES AND SUPPORT FOR WATER DIVISION; AUTOMATION ELECTRIC, LLC (GARY MARTINEZ)
14. REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – LIBRARY BOOKS AND PERIODICALS FOR LIBRARY DIVISION; VARIOUS VENDORS (PATRICIA HODAPP)
15. REQUEST FOR APPROVAL OF AMENDMENT NO. 7 TO LEGAL SERVICES AGREEMENT – ENVIRONMENTAL AND WATER RIGHT LEGAL SERVICES; RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A. (CLAUDIA BORCHERT)
16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – GROUNDWATER MODELING FOR WATER RIGHT PERMIT COMPLIANCE; CAMP DRESSER AND MCKEE, INC. (CLAUDIA BORCHERT)
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18. REQUEST FOR APPROVAL OF COLLECTION AGREEMENT – CLARIFY FINANCIAL ROLES AND RESPONSIBILITIES FOR TRANSITION OF NEPA ANALYSIS/DECISION OF THE BUCKMAN DIRECT DIVERSION PROJECT; USDA FOREST SERVICE, SANTA FE NATIONAL FOREST; BUCKMAN DIRECT DIVERSION BOARD AND CITY OF SANTA FE (RICK CARPENTER)
19. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – LEGAL SERVICES; MONTGOMERY & ANDREWS, P.A. (BRYAN ROMERO)
20. REQUEST FOR APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACTS FOR FY 2007/2008 WITH SEVEN (7) VARIOUS VENDORS (MELISA COLLETT)
21. REQUEST FOR APPROVAL OF GRANT AGREEMENTS – DEPARTMENT OF HOUSING & URBAN DEVELOPMENT WITH FOUR (4) VARIOUS VENDORS (KATHY MCCORMICK)



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22. REQUEST FOR APPROVAL OF LEASE AGREEMENT – PROPERTY LOCATED AT 115 EAST SAN FRANCISCO STREET; JOHN ULIBARRI D/B/A LONG JOHN SILVER TREASURE CHEST (JACK HIATT)
23. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 4 – ALTO PARK IMPROVEMENTS – PHASE III; ACCENT LANDSCAPING AND SPRINKLERS, INC. (CHIP LILIENTHAL)
24. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 2 – CERRILLOS ROAD/ST. MICHAEL'S DRIVE/OSAGE AVENUE INTERSECTION IMPROVEMENTS PROJECT; STAR PAVING COMPANY (LEROY PACHECO)
25. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – MANAGING DESIGN AND CONSTRUCTION OF NEW FACILITY AT RAILYARD PROPERTY; SANTA FE TEEN ARTS CENTER, WAREHOUSE 21 (FRANK ROMERO)
26. REQUEST FOR AMENDMENT NO. 5 TO AGREEMENT – ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES FOR UNDERGROUND PARKING STRUCTURE PROJECT; LLOYD & ASSOCIATES ARCHITECTS (FRANK ROMERO)
 - A. REQUEST FOR APPROVAL OF BUDGET INCREASE – PARKING ENTERPRISE FUND
27. REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT – PROJECT MANAGEMENT; SANTA FE FARMERS' MARKET INSTITUTE (FRANK ROMERO)
28. REQUEST FOR APPROVAL OF VACATION OF RIGHT-OF-WAY OF EASEMENT – WEST BOUNDARY OF NORTH RAILYARD PROPERTY (FRANK ROMERO)
29. REQUEST FOR APPROVAL OF PART 150 NOISE COMPATIBILITY STUDY EXPOSURE MAPS (NEM) AND SIGNATURE AUTHORIZATION FOR AIRPORT DIRECTOR (JIM MONTMAN)
30. REQUEST FOR APPROVAL TO TERMINATE EXISTING CONTRACT – PROCUREMENT OF TRANSIT BUSES; MILLENNIUM TRANSIT SERVICES (KEN SMITHSON)
 - A. REQUEST FOR APPROVAL OF PROCUREMENT – SIX (6) BUSES FOR TRANSIT DIVISION; ARIZONA BUS SALES
31. REQUEST FOR APPROVAL OF A RESOLUTION FURTHERING THE CITY'S EFFORTS TO MAKE SANTA FE A CHILDREN AND YOUTH FRIENDLY COMMUNITY (COUNCILORS DOMINGUEZ, BUSHEE AND CALVERT (LYNN HATHAWAY)



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32. REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING STATE LEGISLATIVE ACTION RELATED TO REVISION OF THE DEVELOPMENT FEES ACT TO INCLUDE SCHOOLS AND LIBRARIES AS ELIGIBLE FACILITIES (COUNCILOR CHAVEZ) (JEANNE PRICE)
33. REQUEST FOR APPROVAL OF A RESOLUTION IN SUPPORT OF NAMING THE VILLA SERENA PARK IN HONOR OF DR. MARTIN LUTHER KING, JR. (COUNCILORS ORTIZ AND TRUJILLO) (FABIAN CHAVEZ)
34. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO EXPLORE THE OPTIONS OF LOCATING AREAS WHERE OFF-HIGHWAY VEHICLE TRAILS COULD BE CONSTRUCTED SO THAT THE OFF-HIGHWAY VEHICLE ENTHUSIASTICS COULD OPERATE THEIR VEHICLES IN A MANNER THAT WOULD BE SUITABLE AND IN THE BEST INTEREST OF ALL CITIZENS OF THE CITY OF SANTA FE (COUNCILOR DOMINGUEZ) (MARTIN VALDEZ)
35. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON AUGUST 27, 2007 AN ORDINANCE ADDING A DEFINITION FOR OFF-HIGHWAY MOTOR VEHICLE TO THE CITY OF SANTA FE UNIFORM TRAFFIC CODE AND AMENDING SECTIONS 12-7.9 AND 12-7-9.1 OF THE CITY OF SANTA FE UNIFORM TRAFFIC CODE TO PROHIBIT THE USE OF OFF-HIGHWAY MOTOR VEHICLES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE, UNLESS OFF-HIGHWAY MOTOR VEHICLES ARE USED ON CITY DESIGNATED COURSES; TRACKS OR TRAILS (COUNCILOR DOMINGUEZ) (POLICE CHIEF JOHNSON)
36. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON AUGUST 27, 2007 AN ORDINANCE AMENDING SECTION 14-6.3(C)(2) SFCC 1987 REGARDING HOME OCCUPATIONS (COUNCILORS WURZBURGER AND TRUJILLO) (DAVID TAPIA AND GEORGIA URIOSTE)
37. REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO INITIATE A PETITION-METHOD ANNEXATION FOR AIRPORT ROAD (COUNCILORS HELDMEYER AND CHAVEZ) (KATHY MCCORMICK)

DISCUSSION:

38. UPDATE ON RESOLUTION NO. 2007-30 ESTABLISHING THE PROCEDURES AND CRITERIA FOR NAMING CITY OWNED PUBLIC SPACES INCLUDING, BUT NOT LIMITED TO, BUILDINGS, PARKS, PLAZAS, ALAMEDAS, FACILITIES AND CITY DEVELOPED STREETS (JEANNE PRICE) (Approved by City Council on March 28, 2007)
39. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING – SENIOR CITIZEN SERVICES TO COUNTY RESIDENTS; SANTA FE COUNTY (BILL TALLMAN)



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40. REQUEST FOR APPROVAL OF TRANSFER OF PROPERTY – LOCATED AT WEST ALAMEDA AND WEST SAN FRANCISCO STREET; SANTA FE CIVIC HOUSING AUTHORITY, INC. (KATHY MCCORMICK)
41. REQUEST FOR CONCEPTUAL APPROVAL OF DEVELOPMENT OPTIONS FOR THE NORTHWEST QUADRANT AND DIRECTION ON ISSUING A REQUEST FOR PROPOSAL FOR MASTER DEVELOPER (KATHY MCCORMICK)
42. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 25, 2007 AN ORDINANCE DISSOLVING THE GRIEVANCE REVIEW BOARD SO THAT ARTICLE 6-8 SFCC 1987; ARTICLE 19-10 SFCC 1987; AND SECTIONS 19-10.1 SFCC 1987 THROUGH 19-10.3 SFCC 1987 ARE REPEALED (COUNCILOR ORTIZ) (JEANNE PRICE)
43. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 25, 2007 AN ORDINANCE DISSOLVING THE CITIZENS' POLICE INCIDENT REVIEW BOARD SO THAT ARTICLE 6-15 SFCC 1987 AND SECTIONS 6-15.1 SFCC 1987 THROUGH 6-15.9 SFCC 1987 ARE REPEALED (COUNCILOR ORTIZ) (POLICE CHIEF JOHNSON)
44. REQUEST FOR APPROVAL OF A RESOLUTION DESIGNATING THE 2.3 MILLION DOLLARS PREVIOUSLY USED FOR THE REGIONAL EMERGENCY COMMUNICATION CENTER BE USED FOR PUBLIC SAFETY PURPOSES (COUNCILOR BUSHEE, MAYOR COSS AND COUNCILOR TRUJILLO) (FIRE CHIEF RIVERA AND POLICE CHIEF JOHNSON) (Postponed at Finance Committee meeting on June 4, 2007)
 - A. UPDATE ON RECC CONTINGENCY RESERVE FUND (KATHRYN RAVELING)
45. OTHER FINANCIAL INFORMATION
46. MATTERS FROM THE COMMITTEE
47. ADJOURNMENT

Interpreter for hearing impaired is available through City Clerk's Office upon 5 days notice.

**SUMMARY OF ACTION
FINANCE COMMITTEE MEETING
Monday, July 16, 2007**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER	Quorum	1
APPROVAL OF AGENDA	Approved	1-2
APPROVAL OF CONSENT AGENDA	Approved [amended]	2
APPROVAL OF MINUTES:		
JUNE 18, 2007	Approved	2
JULY 2, 2007	Approved	2
<u>INFORMATIONAL AGENDA</u>		
UPDATE ON DOMESTIC PARTNERS RETIREE HEALTH CARE	Information/discussion	2-3
UPDATE ON SAFE RIDE PROGRAM	Information/discussion	3-4
CONSENT AGENDA LISTING		4-7
<u>CONSENT AGENDA DISCUSSION</u>		
REQUEST FOR AMENDMENT NO. 5 TO AGREEMENT – ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES FOR UNDERGROUND PARKING STRUCTURE PROJECT; LLOYD & ASSOCIATES ARCHITECTS REQUEST FOR APPROVAL OF BUDGET INCREASE – PARKING ENTERPRISE FUND	Postponed to 7/31/07	7-8
REQUEST FOR APPROVAL OF A RESOLUTION IN SUPPORT OF NAMING THE VILLA SERENA PARK IN HONOR OF DR. MARTIN LUTHER KING, JR.	Approved [amended]	8

ITEM**ACTION****PAGE****DISCUSSION AGENDA**

**UPDATE ON RESOLUTION NO. 2007-30,
ESTABLISHING THE PROCEDURES
AND CRITERIA FOR NAMING CITY
OWNED PUBLIC SPACES INCLUDING,
BUT NOT LIMITED TO, BUILDINGS,
PARKS, PLAZAS, ALAMEDAS,
FACILITIES AND CITY DEVELOPED
STREETS**

Direction to staff

9-10

**REQUEST FOR APPROVAL OF
AMENDMENT NO. 1 TO
MEMORANDUM OF UNDERSTANDING
– SENIOR CITIZEN SERVICES TO
COUNTY RESIDENTS; SANTA FE
COUNTY**

Approved [amended]

10-11

**REQUEST FOR APPROVAL OF
TRANSFER OF PROPERTY –
LOCATED AT WEST ALAMEDA AND
WEST SAN FRANCISCO STREET;
SANTA FE CIVIC HOUSING
AUTHORITY, INC.**

Not approved

11-19

**REQUEST FOR CONCEPTUAL
APPROVAL OF DEVELOPMENT
OPTIONS FOR THE NORTHWEST
QUADRANT AND DIRECTION ON
ISSUING A REQUEST FOR PROPOSAL
FOR MASTER DEVELOPER**

Postponed to 07/31/07

19-20

**REQUEST FOR APPROVAL TO PUBLISH
NOTICE OF PUBLIC HEARING ON JULY 25,
2007, AN ORDINANCE DISSOLVING THE
GRIEVANCE REVIEW BOARD SO THAT
ARTICLE 6-8 SFCC 1987, ARTICLE 19-10
SFCC 1987 AND SECTIONS 19-10.1 SFCC 1987
THROUGH 19-10.3 SFCC 1987, ARE
REPEALED**

**To Council w/o recomm.
Direction to staff**

20

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 25, 2007, AN ORDINANCE DISSOLVING THE CITIZENS' POLICE INCIDENT REVIEW BOARD SO THAT ARTICLE 6-15 SFCC 1987 AND SECTIONS 6-15.1 SFCC 1987 THROUGH 6-15.9 SFCC 1987 ARE REPEALED	Sponsorship withdrawn	20-21
REQUEST FOR APPROVAL OF A RESOLUTION DESIGNATING THE \$2.3 MILLION DOLLARS PREVIOUSLY USED FOR THE REGIONAL EMERGENCY COMMUNICATION CENTER BE USED FOR PUBLIC SAFETY PURPOSES UPDATE ON RECC CONTINGENCY RESERVE FUND	Approved	22-24
OTHER FINANCIAL INFORMATION	None	24
MATTERS FROM THE COMMITTEE	Information/discussion	24
ADJOURNMENT		24

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, July 16, 2007**

1. CALL TO ORDER

A meeting of the Finance Committee was called to order by Acting Chair Matthew Ortiz, at 5:15 p.m., on Monday, July 16, 2007, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Karen Heldmeyer, Chair
Councilor Christopher Calvert
Councilor Carmichael Dominguez
Councilor Matthew Ortiz
Councilor Rebecca Wurzbarger

OTHERS ATTENDING:

Kathryn Raveling, Finance Director
Yolanda Green, Finance Division
Melessia Helberg, Stenographer.

There was a quorum of the membership in attendance for the conducting of official business.

NOTE: All items in the Committee packets for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Finance Department.

3. APPROVAL OF AGENDA

Councilor Ortiz said he requested specifically to be on this agenda, a way to reward employees with more than 25 years of service, and asked why it isn't on the agenda, nothing this is the third time he has made this request. He asked for a written response from Ms. Raveling in this regard.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve the Agenda as published

VOTE: The motion was approved unanimously on a voice vote.

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Calvert moved, seconded by Councilor Dominguez, to approve the Consent Agenda as amended.

VOTE: The motion was approved unanimously on a voice vote

5. APPROVAL OF MINUTES: JUNE 18, 2007 AND JULY 2, 2007.

MOTION: Councilor Calvert moved, seconded by Councilor Dominguez, to approve the minutes of the meeting of June 18, 2007, as presented.

VOTE: The motion was approved on a voice vote, with Councilors Calvert, Dominguez and Ortiz voting for the motion, and Councilor Wurzbarger abstaining.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve the minutes of the meeting of July 2, 2007, as presented.

VOTE: The motion was approved unanimously on a voice vote.

INFORMATIONAL AGENDA

6. UPDATE ON DOMESTIC PARTNERS RETIREE HEALTH CARE. (VICKI GAGE)

Ms. Gage reported on the status of domestic partners coverage through the Retiree Health Care Authority, noting this benefit is now offered to City employees.

Councilor Ortiz asked how many employees have opted for this coverage.

Ms. Gage said two: one opted for coverage with Retiree Health Care and the other has coverage elsewhere.

Miguel Lucero spoke about SB252 which died in the Legislature, which would have provided health care to domestic partners and their children. The Retire Health Care Authority has potential anti-donation clause issues in offering this coverage to employees who are already retired, noting that it is in favor of this coverage.

Councilor Heldmeyer asked if the City continues this coverage, if the State doesn't pick it up, when we need to make plans to do this.

Ms. Gage said the Resolution is in the FIR process, and the staff is trying to address any anti-donation issues which may arise from offering benefits to former employees who are retired. The City Attorney's Office is working on this issue. It won't be an issue in 2009, but it is a little murky right now, especially for retirees who might acquire a domestic partner later on.

Councilor Heldmeyer asked the odds of this being approved by the State. Ms. Gage said she doesn't know, but noted the City adopted a Resolution in support and it was on the NMML priority list. Responding to Councilor Heldmeyer, Ms. Gage said she believes it is supported by AFSCME and the other unions.

Chair Heldmeyer, having arrived earlier, assumed the duties of the Chair

7. UPDATE ON SAFE RIDE PROGRAM. (SEVASTIAN GURULE)

Sevastian Gurule presented information regarding this matter to the Committee. He said this safe ride program for women was implemented on May 22, 2007. From that date, the City has transported 1,355 women, with a budget of \$20,000. As of last week, the costs have been \$20,837. There has good response to the program, and staff believes it has been a great asset to the Committee. Mr. Gurule said staff is asking direction as to whether to continue the program and pursue additional funds.

Chair Heldmeyer asked how the program can be continued without a lapse in services.

Ms. Raveling said another \$20,000 can be added from cash balances, and it will come back to this Committee as a contract amendment.

Chair Heldmeyer asked if the service would be suspended during that time.

Ms. Raveling said there technically could be a gap in coverage.

Councilor Calvert supports continuation of the program.

Councilor Wurzbarger asked Chief Johnson to comment.

Chief Johnson said it has been an effective tool, and the activity has significantly decreased although they are continuing the investigation, as well as the education of the public.

Councilor Heldmeyer said it is an informational item to give direction to staff, because they just realized last week the program is running out of funds. There wasn't time to get it on the agenda and through all the Committees. We can give direction to staff about what we want done.

It was the consensus among the Committee to give direction to staff to continue this program through September 2007, and to research the need for this service in the long term, to what degree the City should continue to fund the program, a suggestion as to the date to terminate the program, if any, and to send the item forward to the Council as an emergency item.

CONSENT AGENDA

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CONSENT AGENDA DISCUSSION

26. **REQUEST FOR AMENDMENT NO. 5 TO AGREEMENT – ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES FOR UNDERGROUND PARKING STRUCTURE PROJECT; LLOYD & ASSOCIATES ARCHITECTS. (FRANK ROMERO)**
 - A. **REQUEST FOR APPROVAL OF BUDGET INCREASE – PARKING ENTERPRISE FUND.**

Councilor Calvert said when this was heard at Public Works, it was his understanding that we would be splitting this 50/50, but the information in the packet seems to say we're paying all of it.

Mr. Romero said staff is negotiating with the developer.

Councilor Heldmeyer asked if these negotiations will be complete by next week when this goes to Council.

Mr. Romero said the Second Amendment to the contract will go to Public Works on July 23, 2007.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to postpone this item to the next meeting so that we will have all the facts about this agreement.

VOTE: The motion was approved unanimously on a voice vote.

33. REQUEST FOR APPROVAL OF A RESOLUTION IN SUPPORT OF NAMING THE VILLA SERENA PARK IN HONOR OF DR. MARTIN LUTHER KING, JR. (COUNCILORS ORTIZ AND TRUJILLO). (FABIAN CHAVEZ)

Councilor Ortiz said the date on the Resolution is set to memorialize the items from Mr. King's "I Have a Dream" speech, and noted the Park won't be opened by that date.

Mr. Chavez said the groundbreaking ceremony is proposed on August 26, 2007, noting that most of the visual aspects of the park will be substantially completed at that point, including the sign and most of the trees.

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, to approve this request, with the following amendment on line 8, page 2 of the Resolution: "... the park will ~~be open and dedicated~~ celebrate a groundbreaking ceremony on August 26, 2007.

DISCUSSION: Responding to Councilor Calvert, Councilor Ortiz said the day of the Speech falls on Tuesday, but the NAACP wants to hold the ceremony on Sunday.

VOTE: The motion was approved unanimously on a voice vote.

END OF CONSENT AGENDA DISCUSSION

DISCUSSION AGENDA

38. UPDATE ON RESOLUTION NO. 2007-30, ESTABLISHING THE PROCEDURES AND CRITERIA FOR NAMING CITY OWNED PUBLIC SPACES INCLUDING, BUT NOT LIMITED TO, BUILDINGS, PARKS, PLAZAS, ALAMEDAS, FACILITIES AND CITY DEVELOPED STREETS. (JEANNE PRICE) (Approved by City Council on March 28, 2007)

Councilor Ortiz said this Resolution was adopted, and asked why it is on the agenda.

Chair Heldmeyer said for an update on how it is working, what works well and what doesn't.

Councilor Ortiz said then there are unhappy people, and asked Ms. Price what can be done to make them happy.

Ms. Price said there have been questions about the Martin Luther one, why these are different and the way it was acted on; the Charles Griego one, where it was found there already was a Resolution; and the overall naming policy. She doesn't know whether they are happy or not.

Chair Heldmeyer noted there was no requirement in the past to send notice, and asked what has been done as a process for notification. Ms. Price said staff has discussed this, and notice could be a press release and how staff suggested proceeding.

Councilor Calvert said he believes we need to "come to grips" with the issue of people who want to donate with the understanding the place will be named for them. He said it isn't uncommon, but we do need to deal with this issue.

Chair Heldmeyer said as it stands, the Resolution provides if someone wants to donate funds to have something named after the person, it would have to meet the criteria in the Resolution. She said the process would be to send out a public notice to solicit nominations from the community. A person wanting to give a donation, presumably, would be one of those nominations, and it is a factor which could be taken into account according to #3 on page 3. It would then go through the Committee process according to Section 3 on page 2, and then to the Governing body for a final determination.

Ms. Price said the Resolution is a little rough, part of which is because it is a "camel" which was created by committee. She really doesn't know what to do – amend it, throw it, or send it forward as is.

Councilor Wurzbarger said the Resolution needs work for use as a tool to develop policy, and wants to work on the language with regard to accepting donations and such.

Councilor Dominguez said it appears we want to further define items in the Resolution and asked the process to do this.

Chair Heldmeyer said we can we can amend this Resolution, or rescind it and replace it with another Resolution.

It was the consensus among the Committee to give direction to staff to look for possible amendments, and when those are ready, those will go through the Committee process for further discussion.

39. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING – SENIOR CITIZEN SERVICES TO COUNTY RESIDENTS; SANTA FE COUNTY. (BILL TALLMAN)

Responding to Councilor Ortiz, Mr. Tallman said the \$16,000 is an estimated cost, and at a later time, staff will come back with an actual cost which has been computed by the new system as established by the State.

Councilor Ortiz said the understanding is that there will be no fiscal impact to the City for providing these services. Mr. Tallman said this is correct.

Councilor Ortiz asked if we can insert some sort of "catch all" language in the event the costs exceed \$16,000, and if there is a reason we can't just say the City will pay the actual costs, and delete the reference to \$16,000. Mr. Tallman said this can be done.

MOTION: Councilor Ortiz moved, seconded by Councilor Wurzbarger, to approve this request with these amendments.

DISCUSSION: Ms. Rodriguez pointed out that the actual costs have not been determined.

Councilor Ortiz said the County has agreed to reimburse the actual costs, and there is no disagreement with that. Ms. Rodriguez said this is correct.

Responding to Councilor Ortiz, Mr. Tallman said the reimbursement will include actual costs including administrative overhead.

Chair Heldmeyer said the amendment as written, provides that the County is reimbursing the City only for actual costs for lunch at the Eldorado Senior Center and isn't necessarily reimbursing the City for actual costs for any of the other services which we provide to the County, which would be the 4%.

Ms. Rodriguez said she believes we will get to those actual costs and will be billing for the actual costs. She said before the Committee is the 4% amount which is a way for the County to say

they know there will be an anticipated increase, and this is the anticipated increase it is willing to give the City for now under this amendment to the MOU.

Chair Heldmeyer asked if this reimbursement will be the actual for all of the other services we provide. Ms. Rodriguez said, "Yes ma'am."

Chair Heldmeyer would like the attorneys to look at the language to see that it does that.

Ms. Rodriguez said yes, and pointed out it still will have to go through the County process.

VOTE: The motion was approved unanimously on a voice vote.

40. REQUEST FOR APPROVAL OF TRANSFER OF PROPERTY – LOCATED AT WEST ALAMEDA AND WEST SAN FRANCISCO STREET; SANTA FE CIVIC HOUSING AUTHORITY, INC. (KATHY MCCORMICK)

A copy of a packet of resumes for Ed Romero, Rudy Gallegos and Ana L. Vargas, is incorporated herewith to these minutes as Exhibit "1."

A copy of "Santa Fe Civic Housing, the Alameda Project – Elements and Factors of the Relocation Plan," is incorporated herewith to these minutes as Exhibit "2."

A copy of "Questions and Comments on the Proposed Development for West Alameda Public Housing," to the Finance Committee, dated July 16, 2007, entered for the record by Roman Salazar, is incorporated herewith to these minutes as Exhibit "3."

Ms. McCormick said the information will be presented by Ed Romero of the Santa Fe Civic Housing Authority, Inc., who has prepared answers to questions raised at Public Works. Staff is looking for direction with regarding to a land lease, and Mr. Romero wants to begin drafting a land lease and the conditions for transferring the title.

Responding to Mr. Romero, Ms. McCormick said as she understands his question, there are two options for this property: One is to transfer title to the Civic Housing. The other option recommended by staff, is that the City enter into a 99-year lease. These are two options and not the same. The Committee could agree to transfer title to Civic Housing which would then have title to the property. However, staff is recommending entering into a 99-year lease.

Ms. McCormick said the primary issues discussed at the Public Works Committee, revolved around what would be the relocation plan for current residents – where they would be going, and the rules and assurances that people would receive Section 8 vouchers or other assistance. She said she is assured that Mr. Romero has all the answers to this, along with the demographic information about whom currently lives there.

Mr. Romero introduced Housing Authority Commissioners and former Commissioners in attendance: Jan Lujan, Board Chair and Elmer Longacre, member, and former Commissioner Roman Salazar.

Mr. Romero reviewed the information in Exhibit "2," noting before anything can be done with the property, the Housing Authority must demonstrate to HUD that the issues of the displaced residents are being addressed properly, that the residents are being provided housing, and provide to HUD a relocation plan which includes financial assistance and assistance in moving the current residents.

Responding to Councilor Calvert, Mr. Romero said in this same situation in 2006, they were able to place a total of 535 vouchers in Santa Fe, noting they were able to issue another 120 vouchers in this same situation.

Councilor Calvert commented that having vouchers, and having places for those vouchers to go is giving him concern. He said the people from West Alameda will be competing with others for some of the vacancies. Councilor Calvert asked the vacancy rate at the Authority sites.

Mr. Romero said it is 1-2% in senior units or 15 units, and there are 25 family units.

Chair Heldmeyer asked if the Authority is trying to keep the units vacant so they will be available when this project starts, or if the Authority is filling those.

Mr. Romero said the units are filled as soon as possible. Mr. Romero said there is an agreement with the County to have 60 vouchers within the City. He said we could get to the point where it would be necessary for the County to find more places outside the City so we can house City residents, but he doesn't believe we will get to that point. He noted that there is a senior facility on St. Francis which should be open within 16-18 months, which is more than 120 units, and the need for seniors are 30 units. He said there are 320 units on Airport Road which will be coming on line which will add to the vacant units as well. He believes that they will be able to place everyone one way or another. He said they will not move forward with the project until every resident is moved to a unit.

Councilor Calvert said it appears there is heavy reliance on private landlords to provide units for the relocation. Mr. Romero said, "Possibly."

Councilor Calvert doesn't believe it is "possibly."

Mr. Romero believes with the new complexes coming on board, plus turnover in the named complexes, that the relocation will be okay. He said the move will be from District 1 to District 3. Responding to Councilor Calvert, Mr. Romero said the relocation will be 74 families and 30 seniors, 104 units, for 218 people. He noted that, with the exception of a handful, the residents are fairly transient in nature, and are not people who stay somewhere 3-5 years.

Councilor Calvert asked how the mix of needs matches with the vacancies with the private landlords.

Mr. Romero said the majority of residents need a two-bedroom units which most apartment complexes are putting in.

Comment from the public

Roman Salazar, former Commissioner, distributed copies of the questions and comments [Exhibit "3"], noting these are their concerns. Mr. Salazar said his main concern has been for the "neediest of the needy," which are the ones who will be displaced, and reviewed some of the contents of Exhibit "3." Mr. Salazar noted his recommendations on page 3.

Elmer Longacre, Board Commissioner, said this Committee knows what it is doing. He was surprised at the news articles, because there hasn't been much meaningful discussion about this at the Board level, commenting it hasn't passed a resolution supporting this project. He noted Mr. Romero said there is some panic about what is going to happen. He suggested forming a task force to look into this because there are so many questions. He agrees with Councilor Calvert that even if you have a voucher, you have to find a place to use it. He wants more details from Mr. Romero, and wants dedicated places for people to live before acting on this. He said we need to move forward slowly. He suggested completely rehabbing the existing site, and then ensuring adequate maintenance.

Juan Valdez, who lives across the street from the subject site, said the housing is going downhill, and we need to fix it up or do something. He wants to find housing for everyone who lives there. He believes a task force would help everyone, because of the current miscommunication and guessing as to what is going to happen.

Jan Lujan, Board Chair, said this area is awful and wouldn't recommend that anyone live there, because it needs maintenance and is so old it can't be fixed easily, and would be costly to bring everything up to date. Her vision is to have something better for the residents. She supports a task force which would work with HUD, noting everything has to meet HUD standards or nothing will be done. She reiterated that the project can't be started until everyone is relocated, which is of concern by the Board. She is concerned about escalating housing costs.

Responding to the Chair, Ms. Lujan said she is the Chair of the Board, and believes she is speaking for the Board and herself. The intent of the Board was to create better housing for the people.

Councilor Calvert said it appears there may be locations for everyone, commenting that there are some special needs for the elderly and/or handicapped, and asked those numbers currently for this location, and if there are places to relocate these people where their needs will be met.

Mr. Romero said there are 2-3 people with mobility issues, noting an upcoming groundbreaking for five of these units at the Cieneguita site, and he would love to house them there.

Responding to Councilor Calvert, Mr. Romero said the Housing Authority has the authority and ability to preference location, and currently there are 6-10 senior units available. He said he can commit to placing the 30 seniors in their two other sites.

Responding to Councilor Dominguez, Ms. McCormick said the existing residents have the right, the first choice, to return to these units, but the national trend is that only 30% of the residents return. She said many people get a voucher and choose to move closer to family members, or they get into a school district they like, or are closer to work, and for whatever reason they choose not to come back.

Responding to Councilor Calvert, Ms. McCormick said there are 104 units and the 124 could be a typo.

Councilor Calvert asked, with regard to the national statistics on the 30%, how many of those communities are of similar size to Santa Fe. Ms. McCormick said these tend to be large urban areas.

Responding to Councilor Dominguez, Mr. Romero said if 100% want to return, they can choose to do so, commenting that they want them to come back – all have the right of first return. The current wait list for Section 8 housing is 200 people. He said most of the people on the wait list won't be housed within the next two years in the voucher program.

Councilor Dominguez noted that seven of the nine locations are in District 3 and 4, and asked why.

Mr. Romero said that is because they targeted the apartment complexes which are close to the Authority.

Councilor Dominguez asked if these people can be distributed equitably throughout the City.

Mr. Romero said in the process a tenant relocation specialist will be hired whose job will be to scout the City and ensure people get the best "bang for the buck," for their voucher, and will, if at all possible, find a place in the area where they want to be. He reiterated that nothing will happen on the site until each and every current resident is in their new residence.

Councilor Wurzbarger asked why not proceed forward in a parallel process.

Mr. Romero said if this doesn't move forward, no one will be displaced, pointing out if he moves these people there will just be vacancies, and there will be no vouchers for them. If it is

decided not to move forward with the project, then no one is displaced, and no one will be displaced until there is a voucher for people to relocate.

Responding to Councilor Wurzburger, Mr. Romero said if and when they get through this step, the next step will be to prepare and send the general disposition paper to HUD, indicating the plans for the property. HUD will then review the application, and if approved, will give the vouchers, and the Board will decide the skills they want in a developer. The Board will then prepare and issue an RFP for a developer, and select the developer by mid-June 2008.

MOTION: Councilor Wurzburger moved, seconded by Councilor Calvert, to approve this request with the staff recommendations with the understanding that no development will proceed until every single person is satisfactorily relocated.

DISCUSSION: Councilor Ortiz said it hasn't been his experience to have principals [noting he considers Board members principals] to stand up and say that we need to have this discussion before you make this decision. Councilor Ortiz asked Mr. Romero if he has the authority to speak on behalf of the Authority.

Mr. Romero said he does.

Councilor Ortiz said he presumes the procurement issues experienced by the Authority is an internal issue with which he has to deal.

Mr. Romero said the Authority follows all the requirements for procurement, and they have never found anything wrong with this concept.

[The exchange between Mr. Romero and Councilor Ortiz here is inaudible on both tapes]

Responding to Councilor Ortiz, Mr. Romero said what happened this last time is that they had ACH payment of bills, and we didn't sign on the ACH payment "approved for payment," and this was one of the issues cited. He said they were all direct purchases, and it was an approval issue.

Councilor Ortiz said at the Public Works Committee, we were told that a conscious decision was made by the Housing Authority for the last three years not to approve spending any money improving this particular site. Mr. Romero said yes.

Councilor Ortiz said then the concerns of some of the residents are legitimate. Mr. Romero said, "Yes. Yes. I totally agree."

Responding to Councilor Ortiz, Mr. Romero said they adopt a budget annually, and a five-year plan, and the decision was made over the past three years to replace windows, bathtubs, bathrooms, cabinets and lots of things in many of the other sites. He said you will see significant improvements in those sites if you visit them.

Councilor Ortiz said there will be a smaller number of units which will be traditional public housing units, and the majority will be market units. He asked if this is a project to enhance the Authority's bond line, or if it is a proposal to divest the Authority of the operation and maintenance costs because it is a private project and presumably will be run by another apartment manager or foundation.

Mr. Romero said, "It is both a humanitarian and a financial decision. From a humanitarian point of view, nobody should have to live in the conditions that we're living in on West Alameda. Nobody should have to live in it. If they have a voucher and they can go somewhere else, fantastic. We should give that voucher to them, and we should have given it to them last year. They should have been able to go where they need to go. From a fiscal perspective..."

Councilor Ortiz said that same humanitarian deference should be applied to these units to be rehabilitated, noting the Board Chair said the cost is about the same to either remodel or rehabilitate. He said that argument applies either way.

Mr. Romero said, "Possibly, possibly, but we have an analysis done that says it's \$12 million to rehab this particular site. We have no funding for \$12 million. I get \$600,000 a year. \$600,000 for 461 units. There's no way I can put \$12 million to West Alameda and not severely neglect all of my stuff."

Responding to Councilor Ortiz, Mr. Romero said the long term result is that we are close to doubling the number of affordable units which will come to Santa Fe. He said the bottom line is that almost all apartment complexes in this area service those 80% and below AMI. When this apartment complex goes into place, it most likely will service most of the people 80% and below AMI. He said their market is work force and below.

Councilor Ortiz said he spoke with one of the residents near this site who's "pitch" was that she would like to see this project done, because the problems at the site are affecting her property. She told him there is a drug problem and a criminal element on site, and she would like to get these people out of the neighborhood. He asked her where these people will go - where will the criminal element go. He said presumably, these people will go to the areas Mr. Romero has discussed.

Mr. Romero said they have an MOU process with the Santa Fe City Police Department, and have done extensive cleaning of the sites, noting they do criminal and other background checks of residents before they are admitted. He doesn't believe the crime is coming from their residents, or that there are significant crime issues coming from the public housing site at this time.

Responding to Councilor Ortiz, Mr. Romero said the background checks for public housing and Section 8 housing are the same.

Responding to Councilor Wurzbarger, Chair Heldmeyer said Mr. Romero said if they couldn't get the transitional vouchers that they wouldn't go forward with the project. Before that, the

Authority would have to submit its general disposition plan which would have to be approved by HUD, and then they could apply for the transitional vouchers.

Mr. Romero said part of the general disposition application is telling HUD what the Authority will do with the property, and they have to have control of that property before the Authority can tell HUD that they can do the other things with it. If HUD approves the move but not the funding, and won't issue vouchers, his stance would be to stop the process, seek funding and rehab the units to their best ability. He said, "This project doesn't move forward unless we have vouchers and tenant protection. It doesn't move forward."

Councilor Wurzbarger said, "So, with HUD, you can't go forward to HUD without certifying, you can't go forward and say you are in a cooperative relationship with the City in which we've made an agreement to give you the land, subject to their doing what they need to do."

Mr. Romero said, "That would be fine too."

FRIENDLY AMENDMENT: Councilor Wurzbarger said, "And that's my amendment, I don't know how to make it, so Mr. Parliamentarian, I am concerned about that, and I want to put some kind of condition on that, so as you go forward, and if you say to HUD, and it's not happening, that we automatically have it transferred to the [inaudible on both tapes]." **The amendment was friendly to the maker and second, subject to the project going forward as advertised. There were no objections from the other Committee members.**

Councilor Calvert asked, if the project is approved, would the affordable units in this project be distinguishable from the other units.

Mr. Romero said all units will have the same interiors, although they will try to have different designs so it doesn't all look alike. The affordable units will not be segregated nor of lesser quality. However, there has been discussion of having a senior village on site, and this would be the only area where there possibly will be a separation within the site.

FRIENDLY AMENDMENT: Councilor Wurzbarger would like to add a condition that we must receive a Resolution from the Housing Authority, prior to this going to Council, saying that the Authority supports this project and are formally making this request. **The motion was friendly to the maker and second, and there were no objections from the other Committee members.**

Councilor Heldmeyer asked, if HUD approves this, what is the likelihood that HUD will give the Authority the transitional vouchers.

Mr. Romero said the likelihood of HUD approving this and then giving the transitional vouchers after they approve it would be "somewhere in the 90 percentile."

Councilor Heldmeyer said Mr. Romero spoke about another step at Public Works, which is his

expectation that people would be allowed to hold onto the tenant protection vouchers after the crisis was over. She asked what expectation Mr. Romero has that HUD will let those tenants keep those vouchers after the building is rebuilt. She said the idea that people can come back if they want is conditioned on people getting these vouchers, noting this is in the financial pro formas. She asked if HUD imposes time limits on these, or what.

Mr. Romero said it is difficult to speak on behalf of HUD, "but in general, what we have seen is apartment complexes that are taking down public housing and that they're getting one for one match on vouchers.."

Chair Heldmeyer asked what the current residents are getting from HUD that lets Mr. Romero afford to keep them there.

Mr. Romero said currently the Authority receives a subsidy from HUD, and roughly \$250 to \$300 per month subsidy from HUD on that. He said the average payment on a voucher is about \$585, and in the family units it will be closer to \$700 to \$800.

Chair Heldmeyer said, with the 30% affordability, you are talking about 55 affordable units out of 74 regular units and 30 senior units for a total of 104 units. She said your promise to let people come back is totally contingent on them getting and keeping the vouchers, or the pro formas will "go in a hole" if you don't get the money from the vouchers. This seems to her to be the "weak link" in the chain. She said the Council wants to see all of this nailed down before the Council either donates or leases the land. She said we need to see a lot of specificity in terms of all of the promises really being carried out.

Mr. Romero said, "In general, we've had one general disposition that has been awarded in the State of New Mexico. They knocked down, I believe, 50 or 100 public housing units in Las Vegas, New Mexico, and they gave them 50 or 100 permanent vouchers by the time it was all done, but it went through a process of you've got a tenant protection voucher. Then you went back and said, hey you gave me this voucher and you took these units off, now we want you to make it permanent and they made it permanent. And that's in general what HUD has been doing. And they're, HUD is funded on an annual basis to do this particular project."

Chair Heldmeyer said this is the question she wanted on the record, and she'll be looking for the disposition of that as we go through this process.

Councilor Dominguez asked if there is a law requiring the Board of County Commissioners to support this project.

Mr. Romero said yes, within the general disposition paperwork, they have to have a Resolution – the Resolution must accompany the submittal of the paperwork.

Councilor Dominguez asked what would happen if this Committee didn't support this.

Mr. Romero said it would all stop, the City would be the owners of the land under their property and when they [the Authority] are sued, the Council will be sued as well.

Councilor Wurzbarger reiterated that she wants a formal statement from the Authority in support of this project to this Council.

VOTE: The motion, as amended, failed to pass on a voice vote as follows:

For: Councilor Wurzbarger and Councilor Calvert.
Against: Councilor Ortiz and Councilor Dominguez.

The resulting vote was a tie vote, with Chair Heldmeyer voting against the motion, to defeat the motion as amended.

EXPLAINING HER VOTE: Chair Heldmeyer said she is voting no until we get all of these questions answered.

41. REQUEST FOR CONCEPTUAL APPROVAL OF DEVELOPMENT OPTIONS FOR THE NORTHWEST QUADRANT AND DIRECTION ON ISSUING A REQUEST FOR PROPOSAL FOR MASTER DEVELOPER. (KATHY MCCORMICK)

MOTION: Councilor Wurzbarger moved, seconded by Councilor Ortiz, to approve this request.

DISCUSSION: Councilor Ortiz asked if all they are doing is issuing an RFQ for a developer.

Ms. McCormick said the RFQ would be for a master developer for the Northwest Quadrant.

Chair Heldmeyer said there is no master plan, nor information on the disposition of land, and the debit and credit for this, and asked what the RFQ would be asking.

Ms. McCormick said what they really want to do is gauge the interest of any developer, whether non-profit or private, in responding to an interest in developing this particular property. She said it provides the opportunity to have a master developer who can review the master plan and say this is what works and this what doesn't, and how the financials may or may not be affected by the plan, and the reason staff wanted to issue the RFQ.

WITHDRAWAL OF SECOND: Councilor Ortiz withdrew his second and the motion died.

MOTION: Councilor Ortiz moved, seconded by Councilor Dominguez, to postpone this request to the next meeting of the Committee.

VOTE: The motion was approved on a voice vote [Absent: Councilor Wurzbarger].

VOTE: The motion was approved unanimously on a voice vote.

42. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 25, 2007, AN ORDINANCE DISSOLVING THE GRIEVANCE REVIEW BOARD SO THAT ARTICLE 6-8 SFCC 1987, ARTICLE 19-10 SFCC 1987 AND SECTIONS 19-10.1 SFCC 1987 THROUGH 19-10.3 SFCC 1987, ARE REPEALED (COUNCILOR ORTIZ). (JEANNE PRICE)

Councilor Ortiz said he introduced this ordinance at the recommendation of staff, noting this Board hasn't been constituted for some time. He read the City Attorney's opinion. He said this Board could, in certain situations, eliminate some of the potential litigation which could result from a grievance. He acknowledged it could place an additional burden on staff, but it could have merit. This is scheduled to go before the Council at the end of August for a public hearing, although it isn't indicated in the packet.

Councilor Heldmeyer asked if anyone from Human Resources is in attendance, but there was no one.

Councilor Ortiz would like to give direction to staff to seek a feasibility opinion from the City Manager and the Human Resources Director as to whether or not this Board could serve a purpose which benefits the City.

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, to move this item forward to the Council without recommendation, with direction to staff to seek a feasibility opinion from the City Manager and the Human Resources Director as to whether or not this Board could serve a purpose which benefits the City or its employees in any way.

DISCUSSION: Chair Heldmeyer said the new HR Director may want to talk to people who served on this Board about their feelings with regard to the benefit of this Committee to the City.

VOTE: The motion was approved on a voice vote [Absent: Councilors Dominguez and Wurzbarger].

43. REQUEST FOR APPROVAL TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 25, 2007, AN ORDINANCE DISSOLVING THE CITIZENS' POLICE INCIDENT REVIEW BOARD SO THAT ARTICLE 6-15 SFCC 1987 AND SECTIONS 6-15.1 SFCC 1987 THROUGH 6-15.9 SFCC 1987 ARE REPEALED (COUNCILOR ORTIZ). (POLICE CHIEF JOHNSON)

Chair Heldmeyer asked Chief Johnson if he believes having such a Board would help in the long run in terms of reducing conflict or reducing litigation.

Chief Johnson said this Board hasn't met since August 2000. He said in reading the Ordinance, everything is covered with regard to Police misconduct and such. He said anything in which the officers would be involved is something which would go to an outside agency for investigation. At this point, he doesn't see the purpose of the Board.

Councilor Ortiz said in reviewing this Board, Ms. Berman indicated it was not staffed and there had been no appointments to this Board for some time. However, if this Board remains on the books, it could be reactivated by making appointments to the Board. He sees no harm in keeping this Board in "moth balls."

Responding to the Chair, Chief Johnson said complaints from the public would be referred to Internal Affairs.

Chair Heldmeyer asked if the person complaining is not satisfied with the disposition of Internal Affairs, where would they go to appeal.

Chief Johnson said when Internal Affairs investigation is complete, it goes to the City Attorney's office for review, and any further investigation is done. The investigation is then returned to him for his final review, and he could either concur or return it for further investigation.

Chair Heldmeyer said then if the person doesn't agree, the next step is a lawsuit.

Chief Johnson said yes, or it could go to the City Manager, with a report of any misconduct by police personnel to the Law Enforcement Academy.

Chair Heldmeyer said if the person doesn't agree with what Internal Affairs does or the ultimate disposition, then all of this would be turned over to this Board for final analysis.

Councilor Ortiz said this Board was formed so there would be a public body which is separate and apart from the agencies which could look at the situation.

Chief Johnson said the Board was formed to help with public perception of the police, and to identify training issues and such, and to receive complaints from the public which people did not want to make to the City or to the Department for whatever reason. He commented that the Police Department has significantly improved over the years. He said he could find no record of complaints which were forwarded by this Board to the City.

WITHDRAWAL OF SPONSORSHIP: Councilor Ortiz, as the only sponsor, withdrew his sponsorship of Ordinance Amendment, therefore no action is required on this request.

**44. REQUEST FOR APPROVAL OF A RESOLUTION DESIGNATING THE \$2.3 MILLION DOLLARS PREVIOUSLY USED FOR THE REGIONAL EMERGENCY COMMUNICATION CENTER BE USED FOR PUBLIC SAFETY PURPOSES (COUNCILOR BUSHEE, MAYOR COSS AND COUNCILOR TRUJILLO). (FIRE CHIEF RIVERA AND POLICE CHIEF JOHNSON)
(Postponed at Finance Committee meeting on June 4, 2007)**

A. UPDATE ON RECC CONTINGENCY RESERVE FUND. (KATHRYN RAVELING)

Ms. Raveling presented information regarding this matter to the Committee.

MOTION: Councilor Ortiz moved, seconded by Councilor Dominguez, for approval of this Resolution and the amendment on page 2 as recommended by the Finance Committee.

POINT OF CLARIFICATION: Councilor Calvert said when he made the motion to postpone this item until after the budget process, Councilor Chavez said he wanted his amendments to stay with this Resolution as it moves forward, noting those are included in the packet. He said Councilor Chavez's amendments can move forward with the Resolution through the process. **Councilor Ortiz said his motion is for approval of the Resolution with the amendment recommended by the Finance Committee, and specifically does not include Councilor Chavez's amendments.**

DISCUSSION: Chair Heldmeyer asked what is meant by "public safety purposes as traditionally defined," and asked defined by whom. She would like to be able to include, for example, Park and Open Space Rangers, if that happens in the future, which she believes would fall within that definition.

Ms. Raveling understands the intent was to keep the definition somewhat broad.

Chief Johnson said he recalls the discussion, and "public safety" is usually defined as police services, fire services, EMS services. He said there was discussion as to whether Parks workers could be considered as public safety because they ensure everything in the Parks is safe.

Chair Heldmeyer said she is speaking about park rangers who would be dedicated to the issue of public safety, and asked the Chief if he would be comfortable with this.

Chief Johnson said he would prefer if it was for Fire and Police Services specifically.

Responding to the Chief, Councilor Ortiz said he would prefer to keep it for public safety – police, fire and emergency – unless there is an expansion of that service. He said as traditionally defined, his thinking is that parks, as discussed, didn't seem to fit in terms of the intent of the original resolution and the discussion we had when we approved the budget.

Ms. Raveling said in the budget, the bulk of the funds will go directly to Police and Fire, with two exceptions: \$20,000 to the Teen Court, and money to fund a paralegal in the City Attorney's office who also would be working with Municipal Court. She said this stretches the definition of public safety to address Municipal Court items.

Councilor Calvert recalled a discussion with regard to the safety of the streets, and whether Streets personnel are part of public safety if the Police and Fire can't respond because of the snow and ice on the streets. He asked Chief Johnson to comment.

Chief Johnson said his argument is that the Police and Fire provide a service which can mean the difference between life and death. Responding to Councilor Calvert, he said he can't remember the last time we had a storm like the one this past winter.

Councilor Calvert said it could happen again, and he just wants to be prepared.

Chair Heldmeyer said she assumes the Resolution includes emergency management response during the snow, which was activated at that time, and many things were done in the context of an emergency response. She believes that would fall under traditional public safety.

Chief Rivera said the definition of public safety became broader and broader as it was discussed over several months. He said at the time of the budget, the Fire Department, as requested, indicated specifically what it would do these funds, and this was done, and this used all the funds. So, in his opinion, the funds are already committed to Fire and Police.

Chair Heldmeyer said this is a policy decision for the future, and she's thinking ahead in terms of emergency management. She gave the example if something happened in Los Alamos, and said she believes our management of that would fall under the traditional definition of public safety. She is thinking of asking for other auxiliary staff which may be under the Police to address the issue of staffing shortages. She said another Council might want to look at things in the future that we're not thinking about right now.

Chief Rivera said he is trying to avoid the distribution of these funds throughout the City.

Chair Heldmeyer said she is really not trying to raid the fund, but she doesn't want us to be in the middle of an unforeseen circumstance or have a new idea for public safety and be told we can't use those funds.

Councilor Ortiz said it takes only five votes to change the definition.

Chair Heldmeyer said she just wants to know what "as traditionally defined," means.

Ms. Raveling said it is in the eyes of the beholder.

Chief Rivera said if there was a situation where the Emergency Management Center would need to be opened, the City has the ability to tap into State and Federal funding.

Chief Johnson said he believes this is the opportunity to have a secure source of funding to address the needs which haven't been met for several years in terms of equipment and such.

Chair Heldmeyer said and this is where it was allocated in the budget process which seemed to make everybody happy.

Chief Johnson said the needs for the Police Department are for capital right now, and in the future we can look at additional positions.

Chair Heldmeyer asked him to think about park rangers.

VOTE: The motion was approved on a voice vote [Absent: Councilors Dominguez and Wurzbarger].

45. OTHER FINANCIAL INFORMATION

Ms. Raveling said there is no other financial information.

46. MATTERS FROM THE COMMITTEE

Chair Heldmeyer thanked Teresita Garcia for her work on the unit costs for Senior Services, which is "a bear."

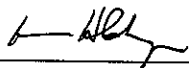
Councilor Ortiz noted we have been promised a strategic plan from the Police Department, and wants to see the Department plans now that there is a stated contract and a funding source identified.

Chief Johnson said he spoke with the City Manager, and it will be submitted sometime in August 2008, and then will go to Public Safety and Finance Committees, and to the Council.

Chair Heldmeyer thanked Councilor Ortiz for changing his plans, so there would be a quorum of the Committee.

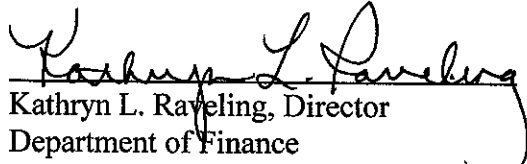
47. ADJOURNMENT

There being no further business to come before the Committee, and the Committee having completed its Agenda, the meeting was adjourned at 7:45 p.m.

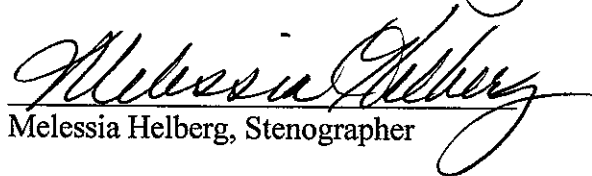


Karen Heldmeyer, Chair

Reviewed by:



Kathryn L. Raveling, Director
Department of Finance



Melessia Helberg, Stenographer